

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

BATAAN LICENSING LLC,

Plaintiff,

v.

ALTENERGY POWER SYSTEMS USA
INC.,

Defendant.

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CIVIL ACTION No. 6:22-cv-001123-JKP

JURY TRIAL DEMANDED

PATENT CASE

**AGREED MOTION FOR EXTENSION OF TIME FOR DEFENDANT
TO ANSWER OR OTHERWISE RESPOND**

Plaintiff Bataan Licensing LLC and Defendant Altenergy Power Systems USA Inc. jointly move for a 30-day extension for Defendant to answer or otherwise respond to the Original Complaint for Patent Infringement (the “Complaint”) filed on October 26, 2022. *See* Dkt. 1.

Summons issued on October 27, 2022. *See* Dkt. 5. To date, no return of service is on file; however, the parties agree that Defendant was served on November 8, 2022. Thus, Defendant’s current deadline to answer or otherwise respond to the Complaint is November 29, 2022. With a 30-day extension, Defendant’s answer or other response would be due on December 29, 2022. This motion is not brought for the purpose of delay. Rather, this extension is necessary because Defendant recently retained counsel and, as a result, needs additional time to assemble its legal team in order to answer or otherwise respond to the Complaint. The requested extension also accounts for the Thanksgiving and winter holidays.

Counsel for Defendant conferred with counsel for Plaintiff. This motion is agreed. Accordingly, Plaintiff Bataan Licensing LLC and Defendant Altenergy Power Systems USA Inc. request the Court grant the foregoing motion and enter an Order extending Defendant’s deadline to answer or otherwise respond to the Complaint to December 29, 2022.

Dated: November 29, 2022.

Respectfully submitted,

/s/ Paige Arnette Amstutz

Paige Arnette Amstutz
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/s/ David R. Bennett

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Counsel for Plaintiff
Bataan Licensing LLC

CERTIFICATE OF CONFERENCE

As set forth above, I certify that, prior to filing this motion,, counsel for Defendant conferred with counsel for Plaintiff and confirmed that Plaintiff agrees with Defendant's request for a 30-day extension of time to answer or otherwise respond to the Complaint.

/s/ Paige Arnette Amstutz

Paige Arnette Amstutz

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on November 29, 2022, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Paige Arnette Amstutz
Paige Arnette Amstutz